

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

RUSSELL ARCHIBALD,)
)
Plaintiff,)
)
v.) Civil Action No. 04-10503-MEL
)
UNITED STATES DEPARTMENT OF)
HOUSING AND URBAN DEVELOPMENT,)
)
Defendant.)

**MOTION FOR EXTENSION OF TIME TO ANSWER OR OTHERWISE
RESPOND TO PLAINTIFF'S COMPLAINT (ASSENTED TO)**

The Defendant in the above-captioned matter respectfully requests an extension of time up to and including, July 10, 2006, to answer or otherwise respond to the Plaintiff's Complaint. The complaint alleges, *inter alia*, that the United States Department of Housing and Urban Development, where he is employed, discriminated against him on the basis of his race.

After reviewing the complaint, pursuant to Local Rule 7.1, the undersigned counsel contacted the *pro se* Plaintiff and discussed the government's intentions to file a motion for a more definite statement due to the vagueness and ambiguousness of the complaint. Plaintiff agreed to file a more definite complaint without the need of such a motion by June 27, 2006. Accordingly, Defendant requests additional time until - July 10, 2006 - to allow Plaintiff to submit his amended complaint and to allow Defendant time to respond to the current complaint if Plaintiff fails to amend it by June 27, 2006. Plaintiff assents to this motion.

WHEREFORE, the Defendant requests that this Motion be granted.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Damian W. Wilmot
DAMIAN W. WILMOT
Assistant U.S. Attorney
Moakley Federal Courthouse
One Courthouse Way, Suite 9200
Boston, MA 02210
(617) 748-3398

Dated: June 21, 2006

CERTIFICATION UNDER L.R. 7.1

I certify that in accordance with Local Rule 7.1 I have conferred with the *pro se* Plaintiff and he assents to this Motion.

/s/ Damian W. Wilmot
DAMIAN W. WILMOT
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

Suffolk, ss.

Boston, Massachusetts
June 21, 2006

I certify that on June 21, 2006, I caused a copy of the foregoing Motion to be served on Plaintiff, Russell Archibald, 9 Norwich Drive, Johnston, RI 02919, by first class mail, postage pre-paid.

/s/ Damian W. Wilmot
DAMIAN W. WILMOT
Assistant U.S. Attorney